

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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DODONA I, LLC, on Behalf of Itself	:
and All Others Similarly Situated,	:
	:
Plaintiff,	:
	:
v.	:
	:
GOLDMAN, SACHS & CO., THE	:
GOLDMAN SACHS GROUP, INC.,	:
PETER L. OSTREM and	:
DARRYL K. HERRICK,	:
	:
Defendants.	:
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10 Civ. 7497 (VM)(DCF)

ECF CASE

**LEAD PLAINTIFF’S MOTION FOR AN ORDER  
APPROVING NOTICE TO CLASS MEMBERS  
AND NOTICE PROCEDURES**

Pursuant to Federal Rule of Civil Procedure 23(c)(2), lead plaintiff and Class representative Dodona I, LLC (“Plaintiff”) respectfully requests an Order approving the form of notice and procedures to be used in providing notice of this class action to putative members of the certified Class. The Class includes all persons and entities “who, from their initial offering through April 27, 2010, purchased or otherwise acquired the Hudson CDOs in the United States, and were damaged thereby.” *Dodona I, LLC v. Goldman, Sachs & Co.*, 296 F.R.D. 261, 264 (S.D.N.Y. 2014).<sup>1</sup>

A copy of the proposed Notice of Pendency of Class Action (the “Class Notice”) and the Summary Notice of Pendency of Class Action (the “Summary Notice”) (collectively, the

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<sup>1</sup> The Hudson CDOs include \$837 million of notes issued or co-issued by Hudson Mezzanine Funding 2006-1, Ltd. or Hudson Mezzanine Funding 2006-1, Corp. (the “Hudson 1 CDO”) and \$407.9 million of notes issued or co-issued by Hudson Mezzanine Funding 2006-2, Ltd. or Hudson Mezzanine Funding 2006-2, Corp. (the “Hudson 2 CDO”).

“Notice”) are attached as Exhibits 1 and 2, respectively, to the accompanying memorandum of law filed in support of this motion. Prior to filing this motion, lead Class counsel provided defendants Goldman, Sachs & Co., The Goldman Sachs Group, Inc., Peter L. Ostrem and Darryl K. Herrick (collectively, the “Defendants”) with drafts of both the Class Notice and the Summary Notice, and an opportunity to review and provide to Plaintiff any comments and proposed revisions Defendants may seek. The parties reached agreement on the content of the proposed Summary Notice in full, and the proposed Class Notice in large part. However, the parties have been unable to agree on certain of the language in the Class Notice as described more fully in the accompanying memorandum.

Lead counsel for the Class also proposes that the notice program be administered by the national class action claims administration and notice firm, Heffler Claims Group LLC (“Heffler”). Lead counsel selected Heffler after soliciting and receiving bids to administer the notice program from seven experienced, national firms specializing in class action notice procedures and administration, as described more fully in the accompanying memorandum of law filed in support of this motion. A copy of Heffler’s biography is attached as Exhibit 3 to the accompanying memorandum of law.

A proposed form of Order is also being filed contemporaneously with these motion papers.

Dated: May 8, 2014

David S. Frydman ([dfrydman@frydmanllc.com](mailto:dfrydman@frydmanllc.com))  
Frydman LLC  
501 Fifth Avenue - 15th Floor  
New York, NY 10017  
Tel: (212) 355-9100  
Fax: (212) 997-0371  
– and –  
D’Anna Harper ([dharp@gusraekaplan.com](mailto:dharp@gusraekaplan.com))  
Gusrae Kaplan Nusbaum, PLLC  
120 Wall Street  
New York, NY 10005  
Tel: (212) 269-1400  
Fax: (212) 514-8479

*Local Counsel for Lead Plaintiff Dodona I, LLC  
and the Class*

Respectfully submitted,

Berger & Montague, P.C.

/s/ Lawrence J. Lederer  
Merrill G. Davidoff ([mdavidoff@bm.net](mailto:mdavidoff@bm.net))  
Lawrence J. Lederer ([llederer@bm.net](mailto:llederer@bm.net))  
Robin Switzenbaum ([rswitzbaum@bm.net](mailto:rswitzbaum@bm.net))  
Barbara A. Podell ([bpodell@bm.net](mailto:bpodell@bm.net))  
Gary E. Cantor ([gcantor@bm.net](mailto:gcantor@bm.net))  
Lane L. Vines ([lvines@bm.net](mailto:lvines@bm.net))  
Jon J. Lambiras ([jlambiras@bm.net](mailto:jlambiras@bm.net))  
1622 Locust Street  
Philadelphia, PA 19103  
Tel: (215) 875-3000  
Fax: (215) 875-4604

*Lead Counsel for Lead Plaintiff Dodona I, LLC  
and the Class*

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